

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re: Michael David Scott

Bk. # 17-70045-JAD

Debtor

Chapter 7

Appellant Michael David Scott

VS

Civil Action 00-17-112

Appellee U.S. Bank National

As Trustee For Credit Suisse First Boston

Mortgage Securities Corp

MBPSTC SR. 2004-AR7

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U.S. BANKRUPTCY COURT
PITTSBURGH

Federal Rule Of
Bankruptcy Procedure 8009
Designation Of Record

Now comes the Appellant Michael David Scott, designating the contents of record on Appeal:

- 1) Doc. #106 filed by the Appellee on April 21, 2017.
- 2) Objection by the Appellant filed by motion dated May 10, 2017. Doc. No. 160.

3) Motion to stay execution of order lifting automatic stay on 40 Old Stable Drive Mansfield MA 02001 pending the outcome of petitioner's appeal Doc. No. 231.

Statement Of Issues To Be Presented On Appeal

- 1) The Appellee U.S. Bank National is not a party in interest; and is not permitted by law to file a claim.
- 2) The Movant is not in possession of the note.
- 3) In a sworn affidavit the movant holds, that the amount of the note is \$25,000.
- 4) The loan modification agreement, was never accepted by the so-called lender BAC Home Loans, because the express language of the agreement requires the signature of both parties, and because the agreement was never signed by the so-called lender, it never became binding on the parties and is unenforceable. See In Re: Thomas 477 B.R. 406 LEXIS 472 (D. Mass 2011).
- 5) The so-called lender at the time had no authority to consent to a loan modification agreement because it was never the holder of the note and neither was it the agent for the note holder.
- 6) The Appellee holds an un-secured position, in the Debtor's bankruptcy estate.

